

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Irrigation & CAD Department – Allegation of corruption against Sri B.Subba Rao, Deputy Executive Engineer (Mech.) (Retd.), formerly worked in the Office of Deputy Director, Ground Water Department, Rajahmundry - Departmental Proceedings initiated – Charge held proved – Impose the punishment of cut in pension of 5% for a period of five (5) years against the charged officer Sri B.Subba Rao, Deputy Executive Engineer (Mech.)(Retd.) - Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Ms.No. 124 .

Dated 06 -08-2011.
Read the following:-

1. Radio Message received from the Dy.Superintendent of Police, Anti-Corruption Bureau, City Range-I, Hyderabad, dated 17-11-2006.
2. Proceedings No.12714/E.I(4)/2006, dated 18-11-2006 of the Director, Ground Water Department, Hyderabad.
3. Govt. Memo.No.33168/Ser.VI(1)/2006-2, dated 15-05-2008 of Irrigation & CAD (Ser.VI(1) Department.
4. Memo.No.12714/EI(4)/2006-2, dated 28-05-2008 of Director, Ground Water Department, Hyderabad.
5. Written Statement of Self Defence submitted by Sri B.Subba Rao, Dy.Executive Engineer (Mech.), dated 16-06-2008.
6. Proceedings No.12714/EI(4)/2006, dated 27-10-2008 of the Director, Ground Water Department, Hyderabad.
7. G.O.Rt.No.1081, Irrigation & CAD (Ser.VI(1) Department, dated 14-08-2008.
8. Inquiry Report received from the Inquiring Authority thro' Letter No.12714/EI(4)/2006, dated 24-02-2010 of the Director, Ground Water Department, Hyderabad.
9. Govt. Memo.No.33168/Ser.VI(1)/2006-13, dated 24-08-2010 of Irrigation & CAD (Ser.VI(1) Department.
10. Representation from Sri B.Subba Rao, Dy.Executive Engineer (Mech.) dated 09-09-2010.
11. Govt. Memo.No.33168/Ser.VI(1)/2006-14, dated 27-04-2011 of Irrigation & CAD (Ser.VI(1) Department.
12. Representation from Sri B.Subba Rao, Dy.Executive Engineer (Mech.) (Retd.) dated 04-06-2011.
13. Govt. Letter No.33168/Ser.VI(1)/2006-15, dated 20-06-2011.
14. From the Secretary, A.P.Public Service Commission, Hyderabad, Letter No.923/RT-I/3/2011, dated 15-07-2011.

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ORDER:

In reference 1st read above, the Investigating Agency has brought to the notice of the Government that a Trap Case was registered by the Anti-Corruption Bureau authorities against Sri B.Subba Rao, Deputy Executive Engineer, Ground Water Department, Hyderabad, as he demanded and accepted the bribe amount from the complainant. The accused officer Sri B.Subba Rao, Deputy Executive Engineer was arrested on 16-11-2006 at 09.15 P.M., and he was produced before the Prl. Special Judge for SPE & ACB Cases, Hyderabad for Judicial custody. Accordingly, the accused officer Sri B.Subba Rao, Dy.Executive Engineer was placed under deemed suspension from the date of his detention i.e., on 16-11-2006 under Rule 8(1) and 8(2) of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 vide reference 2nd read above.

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2. In reference 3rd read above, the Director, Ground Water Department, Hyderabad was directed to institute disciplinary proceedings against Sri B.Subba Rao, formerly Deputy Director, under the provisions of A.P.Civil Services (CC&A) Rules, 1991 and to cause a regular inquiry against the accused officer Sri B.Subba Rao, formerly Deputy Director under Rule 20 of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991 and send the inquiry report to Government, for taking necessary action in the matter.

3. In reference 4th read above, departmental proceedings was initiated against Sri B.Subba Rao, Deputy Executive Engineer (Mech.) and Articles of Charges were issued to Sri B.Subba Rao, Deputy Executive Engineer (Mech.), Office of the Deputy Director, Ground Water Department, Hyderabad.

4. In reference 5th read above, the accused officer Sri B.Subba Rao, Deputy Executive Engineer (Mech.) in his written statement of self defence has stated among other things and requested to drop the charges framed against him, as the immovable properties were pertaining to his wife and the movable properties were purchased through Bank Loans.

5. In reference 6th read above, orders were issued appointing Sri D.Bheemasankar Rao, Deputy Director, Ground Water Department, Visakhapatnam as Inquiring Authority to conduct departmental inquiry on the charges framed against the charged officer Sri B.Subba Rao, Dy.Executive Engineer (Mech.).

6. In reference 7th read above, orders were issued reinstating the accused officer Sri B.Subba Rao, Deputy Executive Engineer into service and the Director, Ground Water Department, Hyderabad was requested to post the accused officer to a far off non-focal post and report compliance.

7. In reference 8th read above, the Inquiring Authority in his Inquiry Report has reported that the charged officer did not furnish the details of the immovable assets acquired by him or derived from his ancestors due to mis-interpretation of the Government orders and under the presumption that the immovable properties acquired below the cost of Rs.5000/- need not be furnished in the annual property statements. The charged officer procured the movable assets like Second Hand Car and Motor Cycle by availing loans from recognized banks submitting his pay certificate issued by the competent authority, but he failed to furnish the details of acquisition in his property statements due to lack of proper interpretation of the rules in force. The charged officer did not hide the details of acquisition of the above assets willfully and there was no need for him to hide them as well as they were derived to him from his ancestors or acquired by him legally within the purview of his earnings, but for his lack of knowledge on the rules and mis-interpretation of the Government orders, he evaded to furnish those details in the property statements submitted to the office. The charged officer has contravened the Rule 9(7) of A.P. Civil Services (Conduct) Rules, 1964, because of mis-interpretation of the Government orders and lack of proper knowledge. The Inquiring Authority hold that the Charge.No.1 – Not Proved and the Charge No.II – Proved.

8. While enclosing a copy of the Inquiry Report of the Inquiring Authority under Rule 21(2) of A.P.Civil Services (Classification, Control & Appeal) Rules, 1991, the charged officer Sri B.Subba Rao, Deputy Executive Engineer (Mech.) (Retd.), Office of the Dy. Director, Ground Water Department, Rajahmundry was directed to submit his representation if any, why a major penalty should not be imposed against him within (15) days for taking necessary action vide reference 9th read above.

Contnd..3.

9. In reference 10th read above, the charged officer Sri B.Subba Rao, Dy.Executive Engineer (Mech.) (Retd.) in his representation dated 09-09-2010 has stated among other things and requested to take a lenient view sympathetically and absolve him from the charge.

10. After careful examination of the representation of the charged officer Sri B.Subba Rao, Dy.Executive Engineer (Mech.) (Retd.), Government have observed that all the grounds put forth by the charged officer were hitherto put-forth before the Inquiring Authority and were held as not substantial. No new grounds were made out by the charged officer. Therefore, Government have taken a provisional decision to impose a major penalty of cut in pension of 5% for a period of five (5) years against the charged officer Sri B.Subba Rao, Dy.Executive Engineer (Mech.), subject to review on the outcome of the ACB Trap case pending against the charged officer and in reference 11th read above, while indicating the said penalty, the charged officer Sri B.Subba Rao, Dy.Executive Engineer (Mech.) (Retd.) was directed to submit his representation, if any, within (15) days for taking necessary action.

11. In reference 12th read above, the charged officer Sri B.Subba Rao, Deputy Executive Engineer (Mech.) (Retd.) in his representation has stated among other things and informed that the proposed punishment against him is very high and it is a huge loss to him and requested to consider his case sympathetically on humanitarian grounds and exonerate him from the charges and drop further action against him.

12. In reference 13th read above, the Principal Secretary, A.P.Public Service Commission, Hyderabad was requested to obtain the concurrence of the Commission on the proposed major penalty i.e., cut in pension of 5% for a period of five (5) years against the charged officer Sri B.Subba Rao, Dy.Executive Engineer (Mech.)(Retd.), subject to review on the outcome of the A.C.B. Trap case pending against the charged officer.

13. In reference 14th read above, the Secretary, A.P.Public Service Commission, Hyderabad has informed that the Commission agreed with the proposal of the Government, to impose the punishment of 5% cut in pension for a period of five (5) years against Sri B.Subba Rao, Dy.Executive Engineer (Mech.) (Retd.), subject to review on the outcome of A.C.B. trap case pending against him and advised accordingly.

14. Government have examined the entire matter carefully and decided to impose a major penalty of cut in pension of 5% for a period of five (5) years against the charged officer Sri B.Subba Rao, Deputy Executive Engineer (Mech.) (Retd.), formerly worked in the Office of Deputy Director, Ground Water Department, Rajahmundry, subject to review on the outcome of the A.C.B. Trap case pending against the charged officer. Accordingly, it is hereby ordered to impose a major penalty of cut in pension of 5% for a period of five (5) years against the charged officer Sri B.Subba Rao, Deputy Executive Engineer (Mech.) (Retd.), formerly worked in the Office of Deputy Director, Ground Water Department, Rajahmundry, subject to review on the outcome of the A.C.B. Trap case pending against the charged officer.

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15. A copy of the reference 14th read above is enclosed.

16. The receipt of the G.O., may please be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAIENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B.Subba Rao, Deputy Executive Engineer (Mech.) (Retd.), formerly worked in the Office of Deputy Director, Ground Water Dept., Rajahmundry thro' the Director, Ground Water Dept., Hyderabad.

The Director, Ground Water Department, Hyderabad.

Copy to:

The Accountant General (A&E), Andhra Pradesh, Hyderabad.

The Secretary, A.P.Public Service Commission, Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commission,

A.P.Vigilance Commission, Hyderabad.

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER